

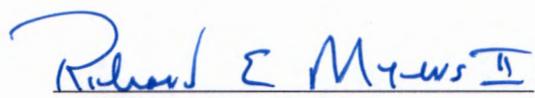
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:23-CT-3119-M

Plaintiff, a state inmate proceeding pro se, filed this action pursuant to 42 U.S.C. § 1983 [D.E. 1]. The matter is before the court on plaintiff's motion for voluntary dismissal and return of his original complaint [D.E. 7]. A party may dismiss an action voluntarily, without a court order, by filing a notice of dismissal any time before the adverse party serves an answer or a motion for summary judgment. See Fed. R. Civ. P. 41(a)(1)(A)(i). Thus, because defendant has not filed an answer, plaintiff's filing has dismissed the complaint.

As a one-time courtesy, the court will return plaintiff's original complaint and its attachments. The scanned copies of such documents filed in the court's CM/ECF system are the court's official records of this action. The court reminds plaintiff that he is responsible for maintaining his legal records, and plaintiff is not entitled to copies at the government's expense. See United States v. Gallo, 849 F.2d 607, 1988 WL 60934, at *1 (4th Cir. May 31, 1988). Future requests for copies will require a record system request through the clerk's office and payment of the copying costs at the rate of fifty cents per page. See 28 U.S.C. § 1914 n.4 (District Court Miscellaneous Fee Schedule).

Therefore, plaintiff's motion for voluntary dismissal and return of his original complaint [D.E. 7] is GRANTED. This matter is dismissed without prejudice. The clerk is DIRECTED to return to plaintiff the original copies of the complaint and its attachments filed at docket entry one. The clerk is further DIRECTED to terminate any pending motions [D.E. 2] as moot and close this case.

SO ORDERED, this 28th day of March 2024.


RICHARD E. MYERS II
Chief United States District Judge